

CAUSE NO. PD-0264-17

ARMAUD SEARS

§  
§  
§  
§  
§  
§

IN THE COURT OF CRIMINAL

APPEALS OF THE STATE OF

OF TEXAS

DEANA WILLIAMSON, CLERK

V.

THE STATE OF TEXAS

---

**RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE BRIEF ON THE MERITS**

---

TO THE HONORABLE COURT OF CRIMINAL APPEALS OF THE  
STATE OF TEXAS:

Pursuant to the Texas Rules of Appellate Procedure, Arnaud Sears, Appellant in the court below and Respondent herein, files this Unopposed Motion for an Extension of Time to File its Response Brief on the Merits and in support thereof would respectfully show the Court as follows:

1. The Ninth Court of Appeals issued its decision in the underlying case on January 31, 2017 in Cause No. 09-15-00161-CR, styled *Sears v. State*.

2. State filed a motion for rehearing, which the Ninth Court of Appeals denied on February 21, 2017. The State timely filed its petition for discretionary review on March 22, 2017.

3. On September 13, 2017, this Honorable Court granted the State's petition for discretionary review.

4. Petitioner, the State of Texas, filed its brief on the merits on October 5, 2017. Respondent, Arnaud Sears, response brief on the merits is currently due for filing on November 6, 2017.

5. Respondent seeks an unopposed thirty-day (30-day) extension of time to file its Response Brief on the merits.

6. If granted Respondent's Brief would be due on December 6, 2017.

7. Respondent states the following good cause and reason for making this request: At the time of filing of Petitioner's Brief on the merits and commencement of Respondent's briefing deadline, the undersigned counsel has additional conflicting and concurrent deadlines that counsel has been working diligently to meet. The undersigned counsel needs additional time to review relevant case law, craft its response arguments, and draft Respondent's Response Brief on the Merits.

8. This is a first request for extension of time.

9. No other requests for extension of time have been requested by Appellant.

10. This motion is unopposed.

11. This motion is not made for purposes of delay, but so that justice may be done. This case is important to the undersigned counsel.

Respectfully Submitted,

/s/ Lindsey Scott

Lindsey Scott  
State Bar No. 24054362  
Law Office of Lindsey Scott  
2809 Highway 69 North  
Nederland, Texas 77627  
(409)727.1036 (phone)  
(409) 727.1290 (fax)  
lindsey@lindseyscottlaw.net

#### CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Petitioner's counsel regarding the merits of this motion and Petitioner's counsel, District Attorney Angela Kneeland, represented that she is not opposed to this motion.

/s/ Lindsey Scott

Lindsey Scott  
The Law Office of Lindsey Scott

## CERTIFICATE OF SERVICE

The undersigned counsel certifies that a copy of this motion was served on the following counsel via e-filing in accordance with the Texas Rule of Appellate Procedure 9.5 and this Court's Local Rules on November 2, 2017

/s/ Lindsey Scott

### *Counsel for Petitioner*

Angela Kneeland  
State Bar No. 24041263  
Assistant District Attorney  
1085 Pearl Street, Suite 300  
Beaumont, Texas 77701  
(409) 835-8550 (phone)  
[akneeland@co.jefferson.tx.us](mailto:akneeland@co.jefferson.tx.us)